BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH Public Meeting Minutes March 25, 2020 1 \mid P a g e



PUBLIC NOTICE IS HEREBY GIVEN THAT THE

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

WILL HOLD A PUBLIC MEETING
IN THE COMMISSION CHAMBERS - ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
100 East Center Street, Provo, Utah
March 25, 2020 - 03:00 P.M.

Board members may participate electronically at will, with the anchor location as stated above.

~COMMISSION MEETING MINUTES~

Commissioner Ainge (chair) in attendance at anchor location.

Commissioner Ivie and Commissioner Lee in attendance via conference call.

Other in Attendance: See Attached Attendance Sheet

(Meeting Called to Order: 3:07 pm)

PRAYER/READING/THOUGHT: Josh Daniels, Utah County Clerk/Auditor's Office PLEDGE OF ALLEGIANCE: Steve White

CONSENT AGENDA

1. APPROVE AND AUTHORIZE THE SIGNING OF A MEMO TO DECLARE ITEMS FROM EVIDENCE AS UNCLAIMED PROPERTY TO BE SOLD THROUGH PUBLIC AUCTION, REPURPOSE THEM FOR PUBLIC USE OR BE DISPOSED OF AS JUNK

-Richard Nielson

ROBERT MOORE, UTAH COUNTY ATTORNEY'S OFFICE – STATED THAT THIS ITEM SEEDS TO BE STRICKEN. NOT COUNTY PROPERTY.

STRIKEN ON CONSENT

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN ANNUAL QUOTE FROM EVERBRIDGE FOR COUNTY-WIDE MASS NOTIFICATION SYSTEM.

-Peter Quittner

APPROVED ON CONSENT

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3. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN CONSENT TO ASSIGNMENT WITH MOTOROLA.

-Dalene Higgins

APPROVED ON CONSENT

4. APPROVE AND ADOPT A RESOLUTION RATIFYING THE APPROVAL AND ADOPTION UTAH COUNTY HUMAN RESOURCE MANAGEMENT EMERGENCY POLICY 2020-1: MODIFIED LEAVE.

-Mark Brady

APPROVED ON CONSENT

5. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY

-03/11/2020

APPROVED ON CONSENT

6. APPROVE AND AUTHORIZE THE SIGNING OF A MEMO TO DECLARE ITEMS AS SURPLUS COUNTY PROPERTY TO BE SOLD THROUGH PUBLIC AUCTION OR TRADED INTO A DEALERSHIP TOWARD THE PURCHASE OF A NEW VEHICLE.

-Richard Nielson

APPROVED ON CONSENT

7. APPROVE AND AUTHORIZE THE SIGNING OF A MEMO TO DECLARE ITEMS AS SURPLUS COUNTY PROPERTY TO BE SOLD THROUGH PUBLIC AUCTION OR BE DISPOSED OF AS JUNK.

-Richard Nielson

APPROVED ON CONSENT

8. APPROVE AND RATIFY THE SIGNING OF A BID PROPOSAL TO ADD DISINFECTION SPECIALIST CLEANING TO THE EXITING RBM CONTRACT FOR THE NEAR FUTURE AT A COST OF \$25.45 PER HOUR NOT TO EXCEED \$7500

-Richard Nielson

APPROVED ON CONSENT

9. ADOPT A RESOLUTION TO APPROVE PROPERTY DEEMED IN THE BEST INTEREST OF THE PUBLIC TO WITHDRAW FROM THE 2020 ANNUAL DELINQUENT TAX SALE

-Burt Harvey

APPROVED ON CONSENT

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10. APPROVE A RESOLUTION AMENDING WRITTEN PROCEDURES GOVERNING ELECTRONIC MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH

-David Shawcroft

APPROVED ON CONSENT

11. APPROVE AND AUTHORIZE THE SIGNING OF A RESOLUTION CONSENTING TO THE APPOINTMENT OF JESSICA SINEAD MURPHY AS DEPUTY CLERK/AUDITOR'S.

-Paul Jones

APPROVED ON CONSENT

12. APPROVE WARRANT SUMMARY FOR PAY PERIOD 6-2020

-Justin

APPROVED ON CONSENT

13. RATIFICATION OF WARRANT REGISTER FOR MARCH 23, 2020 INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

APPROVED ON CONSENT

14. APPROVE AND AUTHORIZE THE SIGNING OF THE ZOOM VIDEO COMMUNICATIONS BUSINESS ASSOCIATE AGREEMENT WITH THE UTAH COUNTY CHILDREN'S JUSTICE CENTER.

-Rebecca Martell

APPROVED ON CONSENT

15. APPROVE AND AUTHORIZE THE SIGNING OF THE NATIONAL CHILDREN'S ALLIANCE AGREEMENT TO BE IN COMPLIANCE WITH FEDERAL SPECIAL CONDITION 15.

-Rebecca Martell

APPROVED ON CONSENT

REGULAR AGENDA

1. APPROVE A RESOLUTION CONTINUING DECLARATION OF LOCAL STATE OF EMERGENCY
- Cort Griffin, Deputy Attorney -

AUTHORIZED ON CONSENT

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2. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER 60412 DATED 03/13/2020

- Jim Stevens, Utah County Assessor's Office -

AUTHORIZED ON CONSENT

- 3. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH GET TRAINED UTAH FOR CPR TRAINING.
 - Ralph Clegg, Health Department Executive Director -

AUTHORIZED ON CONSENT

- 4. APPROVE AND AUTHORIZE THE SIGNING OF AMENDMENT #5 TO AGREEMENT #2015-688 WITH UTAH DEPARTMENT OF HEALTH FOR MATERNAL AND CHILD HEALTH.
 - Ralph Clegg, Health Department Executive Director -

AUTHORIZED ON CONSENT

- 5. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH AAA FOR A DONATION TO THE CHILD PASSENGER SAFETY PROGRAM.
 - Ralph Clegg, Health Department Executive Director -

AUTHORIZED ON CONSENT

- 6. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH 'VSEE' A HIPAA COMPLIANT TELEMEDICINE SOLUTION SOFTWARE TO BE USED FOR THE ASTHMA HOME VISITATION PROGRAM.
 - Ralph Clegg, Health Department Executive Director -

STRIKEN ON CONSENT

- 7. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH MEDICAID AND HEALTH FINANCING FOR SERVICES PROVIDED BY DR. DAVID FLINDERS.
 - Ralph Clegg, Health Department Executive Director -

AUTHORIZED ON CONSENT

- 8. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH MOUNTAINLAND ASSOCIATION OF GOVERNMENTS AGING & FAMILY SERVICES DEPARTMENT FOR SENIOR COMPANION VOLUNTEERS.
 - Ralph Clegg, Health Department Executive Director -

AUTHORIZED ON CONSENT

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9. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH COVE POINT RETIREMENT COMMUNITY FOR SENIOR COMPANION VOLUNTEERS.

- Ralph Clegg, Health Department Executive Director -

AUTHORIZED ON CONSENT

10. AUTHORIZE A CHANGE TO THE STAFFING PLAN, CHILDREN'S JUSTICE CENTER, ADDING ONE (1) FULL-TIME, CAREER SERVICE, ASSISTANT DIRECTOR – CHILDREN'S JUSTICE CENTER. [SUPERVISORY ORG: REBECCA MARTELL; ACCOUNT: 250-42250 CHILDREN'S JUSTICE CENTER: ADD 1 POSITION OF JOB CODE 2353, GRADE 513].

-Julene Elgueta

AUTHORIZED ON CONSENT

11. AUTHORIZE AN ADDITION TO THE STAFFING PLAN IN THE UTAH COUNTY HEALTH DEPARTMENT OF ONE (1) FULL-TIME, CAREER SERVICE, FINANCE MANAGER POSITION. [ADD JOB CODE TBD TO ACCOUNT NUMBER 230-43100; SUPERVISORY ORG: ERIC EDWARDS]

-Elicia Edwards

TABLED

12. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON MEMORANDUM OF UNDERSTANDING BETWEEN UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS AND UTAH COUNTY

-Patrick Carlson/Fire

AUTHORIZED ON CONSENT

13. APPROVE OR DENY THE LEASE GUARANTY AGREEMENT WITH BLOCK 29 DEVELOPMENT, LLC, REGARDING THE UTAH COUNTY PUBLIC DEFENDER ASSOCIATION OFFICE LEASE AGREEMENT.

-NATHAN IVIE

TABLED

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND AMERICA'S FREEDOM FESTIVAL, INC.

- David H. Shawcroft, Deputy Attorney -

DAVE SHAWCROFT, UTAH COUNTY ATTORNEY'S OFFICE – INITIAL PROPOSAL WAS PAYMENT TO BE MADE AFTER THE EVENT. THE REPRESENTATIVES FROM THE FREEDOM FESTIVAL REQUESTED TO RECEIVE ½ OF THE AMOUNT PRIOR TO THE EVENT AND THEN THE BALANCE AFTER THE EVENT IS OVER. IF FOR ANY REASON, THE EVENT IS CANCELLED, THEN A REFUND WOULD OCCUR. THIS IS THE ONLY CHANGE IN THE AGREEMENT FROM PREVIOUS YEARS.

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JIM EVANS & PAUL WARNER, REPRESENTATIVES FROM THE FREEDOM FESTIVAL - ARE HOPEFUL TO HAVE QUITE A FEW EVENTS THIS YEAR. MOVING FORWARD WITH MEETING WITH CHAIRS AND BOARD OF TRUSTEES, CONTRACT SIGNING, ETC. THE FUNDS WOULD BE HELPFUL. HAVE NOT CANCELLED ANY EVENTS OTHER THAN THE HOPE OF AMERICA.

COMMISSIONER AINGE – SUPPORTIVE OF THE FESTIVAL BUT EXPRESSED CONCERNS ON HAVING TO PAY HALF UPFRONT ON AN EVENT THAT WE ARE NOT SURE IS GOING TO TAKE PLACE DUE TO THE CORONAVIRUS SITUATION.

PAUL WARNER - SUGGESTED CONTINUING AT THE NEXT MEETING, TO SEE WHAT HAPPENS IN THE NEXT COUPLE OF WEEKS WITH EVENTS AND THE GOVERNOR'S STANDPOINT.

COMMISSIONER IVIE – MOTION TO CONTINUE AT MEETING ON APRIL 15, 2020 AT THE ANCHOR LOCATION AT 3:00 PM COMMISSIONER LEE – SECOND AYE: ALL IN FAVOR

PASSED: 3/0

15. CONSIDER VIVIAN PARK HOMEOWNERS ASSOCIATION'S PETITION TO VACATE THE PUBLIC RIGHTS-OF-WAY IN THE VIVIAN PARK SUBDIVISION IDENTIFIED AS "FAIRFAX DRIVE" AND "VIVIAN WAY"; TO CONSIDER VACATING ALL OTHER PUBLIC RIGHTS-OF-WAY IN THE VIVIAN PARK SUBDIVISION; TO CONSIDER SETTING A PUBLIC HEARING TO CONSIDER THE PETITION TO VACATE THE PUBLIC RIGHTS-OF-WAY IN THE VIVIAN PARK SUBDIVISION, PURSUANT TO UTAH CODE § 17-27A-609.5; AND TO CONSIDER ADOPTING AN ORDINANCE VACATING THE PUBLIC RIGHTS-OF-WAY IN THE VIVIAN PARK SUBDIVISION.

- Bill Lee, Utah County Commissioner -

REED DIXON, VIVIAN PARK HOMEOWNER'S ASSOCIATION – (had slide presentation) THERE ARE APPROXIMATELY 75 HOMEOWNERS IN VIVIAN PARK. PART OF VIVIAN PARK WAS PLATTED IN 1911 AND PART IN 1917. FAIRFAX IS THE MAIN ROAD. VIVIAN WAY IS ALSO A RIGHT-OF-WAY. THE HOA WOULD LIKE IT VACATED BY THE COUNTY AND MADE PRIVATE. THE HOA WOULD THEN TAKE OVER CONTROL OF THE TWO ROADS AND WOULD DO SNOW REMOVAL, ASPHALT MAINTENANCE, ETC. THE ROADS PRIMARILY FUNCTION AS PRIVATE.

(showed pictures of road). ROAD WAS LAST OVERLAID IN 1999. REQUESTING TO HAVE A HEARING REQUESTING THE COUNTY TO REPAIR ROADS TO GOOD CONDITION WITH OVERLAY AND/OR FULL-DEPT RECONSTRUCTION AND OTHER REPAIRS, THEN THE HOA WOULD TAKE OVER AND ASSUME CONTROL OF THE ROAD.

RICHARD NIELSON, UTAH COUNTY PUBLIC WORKS – LOOKED AT THE REQUEST FROM A COST STANDPOINT OF WHAT IT WOULD TAKE TO DO AN OVERLAY. DID NOT LOOK AT FULL-DEPTH AREAS. FROM MAINTENANCE STANDPOINT, THE ROAD IS DIFFICULT BECAUSE OF THE SIZE OF THE COUNTY EQUIPMENT TO GO UP THE ROAD. WOULD BE IN FAVOR OF LOOKING AT THIS PROPOSAL. THERE IS ONE MORE ROAD ON THE 1917 PLAT, BEVERLY DRIVE, THAT HE SUGGESTED ALSO BE CONSIDERED. HAS NEVER BEEN BUILT, BUT IS ON THE PLAT.

ROBERT MOORE, UTAH COUNTY ATTORNEY'S OFFICE – THIS ROAD HAS IS A POTENTIAL ACCESS POINT BETWEEN OUR TRAIL SYSTEM UP TO SOUTH FORK TRAIL, WHERE PROPERTIES HAVE STARTED TO BE ACQUIRED.

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COMMISSIONER LEE – MOTION TO SET A PUBLIC HEARING ON APRIL 15, 2020 AT THE ANCHOR LOCATION AT 3:00 PM
COMMISSIONER IVIE – SECOND
AYE: ALL IN FAVOR
PASSED 3/0

16. CONSIDER ADOPTING AN ORDINANCE AMENDING UTAH COUNTY CODE §§ 30-4-2, 30-4-3, 304-4, 30-4-6, 30-4-7, AND ENACTING UTAH COUNTY CODE § 30-4-10 TO ADOPT THE PROVISIONS OF 2019 SENATE BILL 104 RELATED TO THE REMOVAL OR DISRUPTION OF SURVEY MONUMENTS.

- Gary Ratcliffe, Utah County Surveyor -

AUTHORIZED ON CONSENT

17. APPROVE AND AUTHORIZE THE SIGNING OF THE RIGHT OF ENTRY PERMIT REGARDING THE PLACEMENT OF JERSEY BARRIERS AT THE KNOLLS PROPERTY ON UTAH LAKE.

- Richard Nielson, Public Works Director -

STRIKEN – DWR TO HANDLE THIS AGENDA ITEM PER RICHARD MOORE, UTAH COUNTY ATTORNEY'S OFFICE

18. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON AGREEMENT BETWEEN UTAH COUNTY AND JONESZYLON

-Jason Heidel/Sheriff

AUTHORIZED ON CONSENT

19. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

- Justin Anderson, Utah County Clerk/Auditor's Office -

COMMISSIONER IVIE – MOVED TO SET A TIME, DATE AND LOCATION FOR TODAY'S DATE, AT THIS LOCATION AT THE COMPLETION OF REGULAR BUSINESS COMMISSIONER LEE – SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

20. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

⁻ Justin Anderson, Utah County Clerk/Auditor's Office -

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COMMISSIONER IVIE – MOVED TO SET A TIME, DATE AND LOCATION FOR TODAY'S DATE, AT THIS LOCATION AT THE COMPLETION OF REGULAR BUSINESS COMMISSIONER LEE – SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

21. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR +*
*DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA)
(ANNOUNCE THE VOTE OF EACH COMMISSIONER)

- Justin Anderson, Utah County Clerk/Auditor's Office -

COMMISSIONER IVIE – MOVED TO SET A TIME, DATE AND LOCATION FOR TODAY'S DATE, AT THIS LOCATION AT THE COMPLETION OF REGULAR BUSINESS

COMMISSIONER LEE - SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

22. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

- Justin Anderson, Utah County Clerk/Auditor's Office -

COMMISSIONER IVIE – MOVED TO SET A TIME, DATE AND LOCATION FOR TODAY'S DATE, AT THIS LOCATION AT THE COMPLETION OF REGULAR BUSINESS COMMISSIONER LEE – SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

WORK SESSION

CONSIDER APPROVING A DEVELOPMENT AGREEMENT BETWEEN ROUTE66, LC, THE COTTAGES COMMUNITY ASSOCIATION. AND UTAH COUNTY REGARDING THE

1. BACKCOUNTRY ESTATES SUBDVISION LOCATED AT APPROXIMATELY 7350 EAST HOBBLE CREEK CANYON ROAD, LEFT FORK, HOBBLE CREEK CANYON AREA OF UTAH COUNTY (TAX SERIAL NO. 16:040:0054).

- Bill Lee, Utah County Commissioner -

DION BARON, COTTAGES RESIDENT – THANKED THE COUNTY FOR THEIR HELP AND LOOK FORWARD TO COMING TO AN AGREEMENT. THE PAID PORTION OF THE ROAD THAT THE COTTAGES IS REQUIRED TO MAINTAIN AS PART OF THE PLAT, HAS MUCH MORE PRESSURE AND MAINTENANCE THAN WAS ORIGINALLY INTENDED BECAUSE THE PROPERTY UP ABOVE, UPPER WHITTEMORE AND SPRINGWOOD, WAS ONLY SUPPOSED TO BE ABLE TO BE

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ACCESSED 180 DAYS A YEAR AND THE COUNTY HAS FOUND NO WAY OF POLICING THE 180 DAYS A YEAR. MANY PEOPLE LIVE UP THERE YEAR-ROUND AND WILL CONTINUE TO DO SO.

JANICE REED, HOBBLE CREEK CANYON RESIDENT – ARTICLE 1-4 OF THE DEVELOPMENT AGREEMENT HAS NOTHING TO DO WITH THE PROPERTY IN QUESTION. FEELS THE CONTRACT AND THE IMPLICATIONS THAT ARE IN IT REGARDING EASEMENTS AND OTHER ISSUES SHOULD NOT BE PUT IN PLACE.

RICHARD WHITE, BACKCOUNTRY ESTATES – WHERE DOES COMMISSIONER IVIE STAND ON THE AGREEMENT? IN GENERAL, EVERYONE AGREED.

COMMISSIONER IVIE – HOPEFULLY WE CAN FIND AN APPROPRIATE WAY TO MOVE FORWARD. EXCITED FOR TODAY'S PUBLIC COMMENTS.

COMMISSIONER AINGE - DID GO VISIT THE SITE RECENTLY.

ROBERT MOORE, UTAH COUNTY ATTORNEY'S OFFICE - THERE IS A STATUTE THAT HAS BEEN ON THE BOOKS FOR 100+ YEARS THAT IF YOU USE A ROAD FOR 10 YEARS OF CONTINUOUS USE AS A PUBLIC THOROUGHFARE, THAT AFTER THE 10 YEARS, IT CAN BECOME A PUBLIC ACCESS EASEMENT.

LEA WHITE, OWNER/ROUTE 66 – HAVE TRIED TO WORK SOMETHING OUT PRIVATELY AND WORK TOGETHER WITH NEIGHBORS, BUT JUST HASN'T BEEN ABLE TO. IN NEED OF THE COUNTY'S ASSISTANCE.

COMMISSIONER AINGE – WILLING TO LEARN MORE. EVEN IF THIS DEVELOPMENT AGREEMENT WERE TO GO FORWARD, IT STILL REQUIRES BOTH PARTIES, ALONG WITH THE COUNTY, TO COME TO AN AGREEMENT.

STEVE WHITE – TALKED ABOUT THE BUDGET DEFICIT AND SALES TAX OPINIONS AND ADVICE.

(Moved to Closed Session: 4:46 pm) (Back to Public Session: 5:14 pm)

PUBLIC COMMENTS

NO ADDITIONAL PUBLIC COMMENTS

COMMISSIONER LEE: MOTION TO ADJOURN

COMMISSIONER IVIE (SUSPEND RULES – COMMISSIONER AINGE HAD TO LEAVE): SECOND

AYE: ALL IN FAVOR

PASSED: 2/0

MEETING ADJOURNED

(Meeting Adjourned: 5:15 pm)

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In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Kelly Adams at (801) 851-8111 at least three days prior to the meeting.

BOARD OF COMMISSIONERS FOR UTAH COUNTY ATTENDANCE SHEET MARCH 25, 2020 at 3:00 p.m.

PRINT CLEARLY

Name: STEND WHITE	Agency:
Brian Voeks	Commission
Leun White	Route (de

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DocuSigned by:

TANNER ATNOE

Commission Chair

ATTEST:

Deputy Clerk/Auditor